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N8 Pharmaceuticals, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

N8 MEDICAL, INC.

Plaintiff,

and

BRIGHAM YOUNG UNIVERSITY,

Plaintiff-Intervenor.

v.

COLGATE-PALMOLIVE COMPANY,

Defendant.

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N8 PHARMACEUTICALS, INC.,

Proposed Intervenor.

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**NOTICE OF WITHDRAWAL  
WITHOUT PREJUDICE OF  
PROPOSED CROSS-CLAIM  
AGAINST N8 MEDICAL, INC. AND  
ALL RELATED REFERENCES IN  
MOTION TO INTERVENE**

Case No. 2:13-cv-01017-BSJ

Intervenor N8 Pharmaceuticals, Inc. (“N8 Pharma”) hereby withdraws without prejudice its proposed cross-claim for declaratory relief against Plaintiff N8 Medical, Inc. (“N8 Medical”). Furthermore, N8 Pharma withdraws all references to that proposed cross-claim in N8 Pharma’s pending Amended Motion to Intervene (Dkt # 98).

DATED August 8, 2014

SMITH LC

/s/ Richard R. Thomas

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF PROPOSED CROSS-CLAIM AGAINST N8 MEDICAL, INC. AND ALL RELATED REFERENCES IN MOTION TO INTERVENE was filed with the Court on this 8<sup>th</sup> day of August, 2014 and served via ECF on all parties who have requested notice:

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